

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

**In re: Methyl Tertiary Butyl Ether ("MTBE")
Products Liability Litigation**

Master File No. 1:00-1898
MDL 1358 (SAS)
M21-88

This document pertains to:

***City of New York v. Amerada Hess Corp. et al.,*
Case No. NY-04-CV-03417**


**NOTICE OF DEFENDANTS' JOINT MOTION *IN LIMINE* TO EXCLUDE
EVIDENCE OF PAST COSTS OR INJURY ASSOCIATED WITH PLAINTIFF'S
WELLS 5, 22, 26, 39 AND 45**

PLEASE TAKE NOTICE that on May 11, 2009, at the United States Courthouse at 500 Pearl Street, New York, New York, Defendants to this action hereby move before the Honorable Shira A. Scheindlin, United States District Judge, at the Daniel Patrick Moynihan Courthouse, 500 Pearl Street, New York, New York for an Order excluding evidence of past costs or injury associated with Plaintiff's Wells 5, 22, 26, 39 and 45 in the above-captioned actions. Defendants' motion is based upon its Memorandum of Law filed concurrently herewith, and any reply brief or oral argument that may be submitted or made by the Defendants in connection with this motion.¹

¹ This motion is filed on behalf of Exxon Mobil Corporation; ExxonMobil Oil Corporation; Mobil Corporation; Lyondell Chemical Company; Equistar Chemicals, LP; Crown Central LLC; and Total Petrochemicals USA, Inc.

Dated: New York, New York
May 11, 2009

Respectfully submitted,


Jennifer Kalnins Temple (JK 3274)
MCDERMOTT WILL & EMERY LLP
18191 Von Karman Avenue, Suite 500
Irvine, CA 92612-7108
Tel: (949) 757-7128
Fax: (949) 851-9348

Peter J. Sacripanti (PS 8968)
James A. Pardo (JP 9018)
MCDERMOTT WILL & EMERY LLP
340 Madison Avenue
New York, NY 10173-1922
*Attorneys for the Exxon Mobil Corporation
Defendants and on behalf of all remaining
Defendants*